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U.S. COURT OF APPEALS**

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

SUSANA GOMEZ RIVERA;
VERONICA PEREZ GOMEZ,

Petitioners,

v.

ALBERTO R. GONZALES, Attorney
General,

Respondent.

No. 05-76574

Agency Nos. A96-048-564
A96-048-565

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted April 10, 2006^{**}

Before: KOZINSKI, RYMER and PAEZ, Circuit Judges.

This is a petition for review from the denial of petitioners' applications for
cancellation of removal.

^{*} This disposition is not appropriate for publication and may not be
cited to or by the courts of this circuit except as provided by 9th Cir. R. 36-3.

^{**} This panel unanimously finds this case suitable for decision without
oral argument. *See* Fed. R. App. P. 34(a)(2).

Upon review of the record and the opposition to the motion to dismiss, we conclude that petitioner Susana Gomez Rivera has failed to raise a colorable constitutional claim to invoke our jurisdiction over this petition for review. *See Torres-Aguilar v. INS*, 246 F.3d 1267, 1271 (9th Cir. 2001). Accordingly, respondent's motion to dismiss in part for lack of jurisdiction is granted. *See* 8 U.S.C. § 1252(a)(2)(B)(i); *Romero-Torres v. Ashcroft*, 327 F.3d 887, 892 (9th Cir. 2003); *Montero-Martinez v. Ashcroft*, 277 F.3d 1137, 1144 (9th Cir. 2002).

Petitioner Veronica Perez Gomez does not challenge the finding that she lacks a qualifying relative to establish eligibility for cancellation of removal. *See* 8 U.S.C. § 1229b(b)(1)(D); *Vasquez-Zavala v. Ashcroft*, 324 F.3d 1105, 1107 (9th Cir. 2003). Accordingly, respondent's motion for summary disposition in part is granted. *See United States v. Hooton*, 693 F.2d 857, 858 (9th Cir. 1982) (*per curiam*).

All other pending motions are denied as moot. The temporary stay of removal and voluntary departure confirmed by Ninth Circuit General Order 6.4(c) and *Desta v. Ashcroft*, 365 F.3d 741 (9th Cir. 2004), shall continue in effect until issuance of the mandate.

PETITION DISMISSED IN PART AND DENIED IN PART.